

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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**SCHREIBER FOODS, INC.**  
Plaintiff,

v.

Case No. **02-C-293**

**BORDEN, INC., ET AL**  
Defendant(s).

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**ORDER GRANTING PLAINTIFF'S MOTION TO SUBSTITUTE EXPERTS**

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On June 17, 2005, the court conducted a telephone conference to discuss the plaintiff's motion for leave to substitute expert witness. Appearing on behalf of the plaintiff was attorney Patrick Solon. Appearing on behalf of the defendants was attorney Jonathan Kieffer. Based on the information provided and, for reasons more fully stated on the record, **IT IS ORDERED**,

1. The court finds that there is no prejudice to the defendant by permitting the substitution as long as the opinion of substitute expert Richard Littman is in conformance with the prior opinion of George Schroeder, without significant additions, modifications or variances.

2. Mr. Littman's report shall be disclosed to the defendants no later than **June 30, 2005**.

3. Following the receipt of the report, the defendants have the right to depose Mr. Littman. Any deposition is to be completed by **July 31, 2005**.

Further, the substitution of experts does not affect the defendant's ability to use the report of Mr. Schroeder or portions of his video deposition at trial, subject the Rules of Evidence.

Dated at Milwaukee, Wisconsin, this 21<sup>st</sup> day of June, 2005.

s/AARON E. GOODSTEIN  
United States Magistrate Judge

